

FACSIMILE: (714) 557-3347

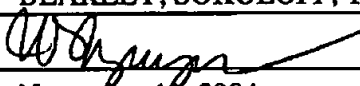
NOV 11 2004


PAGE 1/15 \* RCVD AT 11/11/2004 2:44:12 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-1/4 \* DNIS:8729306 \* CSID:7145573347 \* DURATION (mm:ss):06:58

|   |    |                        |                       |
|---|----|------------------------|-----------------------|
| <b>TRANSMITTAL FORM</b><br>(to be used for all correspondence after initial filing) |    | Application No.        | 09/222,340            |
|   |    | Filing Date            | December 28, 1998     |
|   |    | First Named Inventor   | William F. Terrell    |
|   |    | Art Unit               | 2143                  |
|   |    | Examiner Name          | William C. Vaughn Jr. |
| Total Number of Pages in This Submission  | 14 | Attorney Docket Number | 82771P279             |

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| ENCLOSURES (check all that apply)  |  |  |
|--|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached  | <input type="checkbox"/> Drawing(s)  | <input type="checkbox"/> After Allowance Communication to Group                            |
| <input checked="" type="checkbox"/> Amendment / Response<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)   | <input type="checkbox"/> Licensing-related Papers  | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences        |
| <input type="checkbox"/> Extension of Time Request   | <input type="checkbox"/> Petition  | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> Express Abandonment Request   | <input type="checkbox"/> Petition to Convert a Provisional Application                   | <input type="checkbox"/> Proprietary Information   |
| <input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> PTO/SB/08  | <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address | <input type="checkbox"/> Status Letter   |
| <input type="checkbox"/> Certified Copy of Priority Document(s)  | <input type="checkbox"/> Terminal Disclaimer   | <input type="checkbox"/> Other Enclosure(s) (please identify below):                       |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Basic Filing Fee<br><input type="checkbox"/> Declaration/POA<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Request for Refund  |  |
|  | <input type="checkbox"/> CD, Number of CD(s)   |  |
| Remarks  |  |  |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |   |
|--|---|
| Firm or Individual name                    | Thinh V. Nguyen, Reg. No. 42,034<br>BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP          |
| Signature                                  |  |
| Date                                       | November 11, 2004   |

| CERTIFICATE OF MAILING/TRANSMISSION  |   |      |                   |
|--|---|------|-------------------|
| I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office. |   |      |                   |
| Typed or printed name  | Tu T. Nguyen  |      |                   |
| Signature  |  | Date | November 11, 2004 |

Based on PTO/SB/21 (04-04) as modified by Blakely, Sokoloff, Taylor & Zafman (wlr) 06/04/2004.  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

# FEE TRANSMITTAL for FY 2004

Effective 01/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT

(\$)

## Complete if Known

|                      |                       |
|----------------------|-----------------------|
| Application Number   | 09/222,340            |
| Filing Date          | December 28, 1998     |
| First Named Inventor | William F. Terrell    |
| Examiner Name        | William C. Vaughn Jr. |
| Art Unit             | 2143                  |
| Attorney Docket No.  | 82771P279             |

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None  
☒ Deposit Account

Deposit Account Number

02-2666

Deposit Account Name

Blakely, Sokoloff, Taylor &amp; Zafman LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) or underpayment of fees as required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

## FEE CALCULATION

## 1. BASIC FILING FEE

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 1001         | 790      | 2001         | 395      | Utility filing fee     |          |
| 1002         | 350      | 2002         | 175      | Design filing fee      |          |
| 1003         | 550      | 2003         | 275      | Plant filing fee       |          |
| 1004         | 790      | 2004         | 395      | Reissue filing fee     |          |
| 1005         | 160      | 2005         | 80       | Provisional filing fee |          |
| SUBTOTAL (1) |          |              |          |                        | (\$)     |

## 2. EXTRA CLAIM FEES

Total Claims:  - 25 =  X  =  Fee Paid

Independent Claims:  - 3 =  X  =  Fee Paid

Multiple Dependent:  =  Fee Paid

| Large Entity |          | Small Entity |          | Fee Description   | Fee Paid |
|--------------|----------|--------------|----------|---|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |   |          |
| 1202         | 16       | 2202         | 9        | Claims in excess of 20                                    |          |
| 1201         | 88       | 2201         | 44       | Independent claims in excess of 3                         |          |
| 1203         | 300      | 2203         | 150      | Multiple Dependent claims, if not paid                    |          |
| 1204         | 88       | 2204         | 44       | **Reissue independent claims over original patent         |          |
| 1206         | 16       | 2205         | 9        | **Reissue claims in excess of 20 and over original patent |          |
| SUBTOTAL (2) |          |              |          |   | (\$)     |

\*\*or number previously paid, if greater. For Reissues, see below

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

| Large Entity        |          | Small Entity |          | Fee Description  | Fee Paid |
|---------------------|----------|--------------|----------|--|----------|
| Fee Code            | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 1051                | 130      | 2051         | 65       | Surcharge - late filing fee or oath  |          |
| 1052                | 60       | 2052         | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 2053                | 130      | 2053         | 130      | Non-English specification  |          |
| 1812                | 2,520    | 1812         | 2,520    | For filing a request for <i>ex parte</i> reexamination                     |          |
| 1804                | 920      | 1804         | 920      | Requesting publication of SIR prior to Examiner action                     |          |
| 1805                | 1,840    | 1805         | 1,840    | Requesting publication of SIR after Examiner action                        |          |
| 1251                | 110      | 2251         | 55       | Extension for reply within first month                                     |          |
| 1252                | 430      | 2252         | 215      | Extension for reply within second month                                    |          |
| 1253                | 980      | 2253         | 490      | Extension for reply within third month                                     |          |
| 1254                | 1,530    | 2254         | 765      | Extension for reply within fourth month                                    |          |
| 1255                | 2,080    | 2255         | 1,040    | Extension for reply within fifth month                                     |          |
| 1404                | 340      | 2401         | 170      | Notice of Appeal   |          |
| 1402                | 340      | 2402         | 170      | Filing a brief in support of an appeal                                     |          |
| 1403                | 300      | 2403         | 150      | Request for oral hearing   |          |
| 1451                | 1,510    | 2451         | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452                | 110      | 2452         | 55       | Petition to revive - unavoidable   |          |
| 1453                | 1,370    | 2453         | 685      | Petition to revive - unintentional   |          |
| 1501                | 1,370    | 2501         | 685      | Utility issue fee (or reissue)   |          |
| 1502                | 490      | 2502         | 245      | Design issue fee   |          |
| 1503                | 680      | 2503         | 330      | Plant issue fee  |          |
| 1460                | 130      | 2460         | 130      | Petitions to the Commissioner  |          |
| 1807                | 50       | 1807         | 50       | Processing fee under 37 CFR 1.17(c)  |          |
| 1806                | 180      | 1806         | 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021                | 40       | 8021         | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809                | 790      | 1809         | 395      | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 1810                | 790      | 2810         | 395      | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 1801                | 790      | 2801         | 395      | Request for Continued Examination (RCE)                                    |          |
| 1802                | 900      | 1802         | 900      | Request for expedited examination of a design application                  |          |
| Other fee (specify) |          |              |          |  |          |
| SUBTOTAL (3)        |          |              |          |  | (\$)     |

\* Reduced by Basic Filing Fee Paid

## SUBMITTED BY

Name (Print/Type) Thinh V. Nguyen

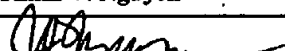
Registration No. (Attorney/Agent)

42,034

## Complete (if applicable)

Telephone (714) 557-3800

Signature



Date

11/11/04

Based on PTO/SB/17 (10-03) as modified by Blakely, Sokoloff, Taylor & Zafman (w/1) 02/10/2004.  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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Effective 01/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

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| First Named Inventor | William F. Terrell    |
| Examiner Name        | William C. Vaughn Jr. |
| Art Unit             | 2143                  |
| Attorney Docket No.  | 82771P279             |

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02-2666

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Blakely, Sokoloff, Taylor &amp; Zafman LLP

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## 2. EXTRA CLAIM FEES

Total Claims  = 25 \*  =  x  =

Independent Claims  = 3 \*  =

Multiple Dependent

| Large Entity |          | Small Entity |          | Fee Description   | Fee Paid |
|--------------|----------|--------------|----------|---|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |   |          |
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| SUBTOTAL (2) |          |              |          |   | (\$)     |

\*\*or number previously paid, if greater. For Reissues, see below

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

| Large Entity                       |          | Small Entity |          | Fee Description  | Fee Paid |
|------------------------------------|----------|--------------|----------|--|----------|
| Fee Code                           | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 1051                               | 130      | 2051         | 65       | Surcharge - late filing fee or oath  |          |
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| 1812                               | 2,520    | 1812         | 2,520    | For filing a request for <i>ex parte</i> reexamination                     |          |
| 1804                               | 920*     | 1804         | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805                               | 1,840*   | 1805         | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
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| 1253                               | 980      | 2253         | 490      | Extension for reply within third month                                     |          |
| 1254                               | 1,530    | 2254         | 765      | Extension for reply within fourth month                                    |          |
| 1255                               | 2,080    | 2255         | 1,040    | Extension for reply within fifth month                                     |          |
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| 1402                               | 340      | 2402         | 170      | Filing a brief in support of an appeal                                     |          |
| 1403                               | 300      | 2403         | 150      | Request for oral hearing   |          |
| 1451                               | 1,510    | 2451         | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452                               | 110      | 2452         | 55       | Petition to revive - unavoidable   |          |
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| 1503                               | 660      | 2503         | 330      | Plant issue fee  |          |
| 1460                               | 130      | 2460         | 130      | Petitions to the Commissioner  |          |
| 1807                               | 50       | 1807         | 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 1806                               | 180      | 1806         | 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021                               | 40       | 8021         | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809                               | 790      | 1809         | 395      | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 1810                               | 790      | 2810         | 395      | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 1801                               | 790      | 2801         | 395      | Request for Continued Examination (RCE)                                    |          |
| 1802                               | 900      | 1802         | 900      | Request for expedited examination of a design application                  |          |
| Other fee (specify)                |          |              |          |  |          |
| * Reduced by Basic Filing Fee Paid |          |              |          |  |          |
| SUBTOTAL (3)                       |          |              |          |  | (\$)     |

## SUBMITTED BY

|                   |   |                                   |          |           |                |
|-------------------|---|-----------------------------------|----------|-----------|----------------|
| Name (Print/Type) | Thinh V. Nguyen   | Registration No. (Attorney/Agent) | 42,034   | Telephone | (714) 557-3800 |
| Signature         |  | Date                              | 11/11/04 |           |                |

Based on PTO/SB/17 (10-03) as modified by Blakely, Sokoloff, Taylor & Zafman (w/r) 02/10/2004  
 SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Appl. No. 09/222,340  
Amdt. Dated 11/11/2004  
Reply to Office action of 08/13/2004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application. No. : 09/222,340  
Applicant : William F. Terrell  
Filed : 12/28/1998  
TC/A.U. : 2143  
Examiner : William C. Vaughn Jr.

Confirmation No. 3304

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**NOV 11 2004**

Docket No. : 082771.P279  
Customer No. : 8791

Commissioner for Patents  
PO Box 1450  
Alexandria VA 22313-1450

**AMENDMENT**

Sir:

In response to the Office Action of August 13, 2004, please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 6 of this paper.